

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JIMMY MURPHY,	:	CIVIL ACTION NO. 1:09-CV-2261
Plaintiff	:	
	:	(Judge Conner)
v.	:	
	:	
MIFFLIN COUNTY REGIONAL	:	
POLICE DEPT., CPL. ROBERT L.	:	
HAINES, JR., LT. STEVE	:	
KNUDSON, PTLM. ETTINGER, and	:	
CHIEF WILLIAM HERKERT, JR.,	:	
Defendants	:	

ORDER

AND NOW, this 12th day of September, 2012, upon consideration of the Report and Recommendation (Doc. 117) of United States Magistrate Judge Malachy E. Mannion, recommending that plaintiff's motion for summary judgment (Doc. 103) be denied, and, following an independent review of the record and noting that plaintiff filed objections¹ to the report on August 28, 2012 (Doc. 118), and the court finding Judge Mannion's analysis to be thorough and well-reasoned, and the court finding plaintiff's objections to be without merit and squarely addressed by Judge Mannion's report (Doc. 10), it is hereby ORDERED that:

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

1. The report and recommendation of Magistrate Judge Mannion (Doc. 117) are ADOPTED.
2. Plaintiff's motion for summary judgment (Doc. 103) is DENIED.
3. A revised pretrial/trial schedule shall issue by separate order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge